

CITY COUNCIL  
DECEMBER 3, 2018  
7:00 P.M.

The Council of the City of Augusta, Kansas met in regular session on December 3, 2018, with Mayor Mike Rawlings presiding. Council present were Cale Magruder, Eric Birk, Jamie Crum, Tom Leffler, Kip Richardson, Ron Reavis and David Bates. Councilman Paul Belt was absent. Also present: City Attorney Austin Parker, Assistant City Manager Cody Sims and Director of Public Safety Bob Sage. Visitors present were: Susan Smith, Kate Bosserman, John Black, Eric Burris, Willis Wilson, Neal Whitlow, Sandra Casey, Bob Casey and Lieutenant Tim Follis.

Pledge of Allegiance

Prayer: Pastor Neal Whitlow, Community Crossroads Church, gave the invocation.

Minutes: Richardson made a motion to approve the minutes from the November 19, 2018 City Council meeting and November 26, 2018 City Council work session. Crum seconded the motion. Motion carried without opposition.

Ordinance 11A: Reavis made a motion to approve Ordinance 11 dated 11/28/2018. Crum seconded the motion. Motion carried without opposition.

Visitors:

Presentation of retirement plaque to Sandi Casey, Utility Billing Clerk, who is retiring on December 7 after 14 years of service.

Business:

Contract Award for Installation of Instruments, Flow Meters, Control Panels, Power and Control Wiring for SCADA System at the WWTP: Reavis made a motion to approve the recommendation from Aqua Tech Engineering to award the contract for installation of instruments, flow meters, control panels, power and control wiring for the SCADA system at the wastewater treatment plant to Mid-State Pipeline Maintenance, LLC in the amount of \$396,100. Bates seconded the motion. Motion carried without opposition.

Vehicle Mounted Camera System Upgrades: Richardson made a motion to approve the purchase of Wi-Fi adapters, software licenses and a video storage server from Watch Guard in the amount of \$8,040. Crum seconded the motion. Motion carried without opposition.

Resolution No. 2018-28 Setting Forth the Philosophical Position of the Governing Body with Regard to Regional Economic Development: Magruder made a motion to table this agenda item until the next meeting for staff to bring back more info on other cities that have signed similar resolutions. Crum seconded the motion. Motion carried without opposition.

Appointment of Ad Hoc Committee to Review Special Alcohol Grant Applications: Crum made a motion to appoint Magruder, Crum and Reavis to the Selection Committee to review applications for the Special Alcohol Grant Program. Richardson seconded the motion. Motion carried without opposition.

Matters From/For Council and Informational Memorandum:

Sims: Sims provided an update on the demolition on 432 E Broadway. Sims stated there is still a mound of debris on the back of the property and a 40-yard container on the site, so staff is going to coordinate with Harder Enterprises to make sure we are on their schedule to get the remainder of that project cleaned up.

Leffler: Leffler inquired about the status of the update of the zoning codes. Shaw stated there is a full draft of the zoning code that is being reviewed by staff. He stated that based on the feedback from the Planning Commission, City Council and business feedback, staff met with PEC and walked them through the various components and pieces we would like to see in a new version in order to streamline a number of processes as much as possible and to ease headaches caused over the years. Shaw stated he would like to put examples of other formats for the document in front of the Planning Commission and Council to see what the best fit is. Leffler asked how we would proceed with it and if there will be a work session between the Planning Commission and Council. Shaw stated that would be a good way to proceed. Leffler asked how far down the road staff would anticipate the document would be ready for review at a work session. Shaw stated it would be another month or so.

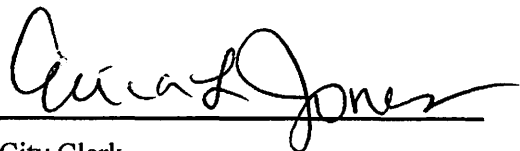
Reavis: Reavis stated that at an open records training that he, Richardson and Leffler attended put on by the League, they said that any not-for-profit entity receiving public funds in excess of \$350 per year has to document the receipt and expenditure of such funds which is open for public inspection and that if they do not segregate the public funds from other sources of revenue the entire accounting of their expenditures and receipts are open to the public. Reavis asked how that affects the people we give the Special Alcohol Grants money to and even the organizations we give utility abatements to. Parker stated that under the Kansas Open Records Act we have a duty to produce documents in our possession. However, because we do not have possession of the records of the individual agencies that are receiving these funds, we do not have the duty to produce them. Parker stated there is no legal method to compel those organizations to provide that information, but they could do so voluntarily. Reavis stated he understood the legislation to be that it falls on the nonprofit organization to document the expenditures in the event the information is requested of them. Parker stated that was his understanding of the legislation, but that he has never looked at our responsibilities for how nonprofits expend monies given to them by the City in excess of \$350. He stated he would double check, but that he was almost absolutely sure that the City has no duty and that it falls to the nonprofit. Shaw stated that in the case of utility abatements, we solicit financials and when they provide that information to the Council, the record does become an open record and publically available. He stated that he believes all those organizations understand that those financials are open to public scrutiny once they are provided. Rawlings asked if Parker could research this and provide feedback at the next meeting. Parker agreed.

Executive Session:

At 7:58 p.m. Richardson made a motion to recess into executive session for 60 minutes to discuss an individual employee's performance to conduct the City Manager's annual evaluation pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). Richardson asked that City Manager Josh Shaw join the Council in executive session. The governing body will reconvene in the Council Chambers at 8:58 p.m. Bates seconded the motion. Motion carried without opposition.

At 8:58 p.m., Richardson made a motion to exit executive session where no action was taken. Leffler seconded the motion. Motion carried without opposition.

Adjourn: At 8:59 p.m., Bates made a motion to adjourn. Reavis seconded the motion. Motion carried without opposition.

A handwritten signature in black ink, appearing to read "Alicia Jones", written over a horizontal line.

City Clerk